

REMARKS

Claims 1-65 are presented for examination. Claims 1, 32-34, 45, 56-58, 61 and 62 are independent. Claims 1, 32, 33, 34, 45, 56, 57, 58, 61 and 62 have been amended. No new matter is presented. Reconsideration and further examination are respectfully requested.

Claims 1-12, 18, 24, and 58-64 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,831,606 (Nakajima); Claims 13-17, 19-23, 34-55, and 65 were rejected under 35 U.S.C. §102(b) as being anticipated by Nakajima or, in the alternative, under 35 U.S.C. §103(a) as being obvious over Nakajima in view of U.S. Patent No. 6,061,695 (Slivka); Claims 25-33, 56-57 were rejected under 35 U.S.C. §103(a) as being obvious over Nakajima in view of Slivka and in further view of U.S. Patent Publication No. 2004/0061720 (Weber). Reconsideration and withdrawal of the rejections are respectfully requested for at least the following reasons.

To provide a framework for the Examiner, and by way of a non-limiting example of an embodiment, paragraph [0007] in the Background of Applicant's Specification states:

[0007] Current browser programs allow an application to add text, and to associate handlers with the text, in context menus, by modifying registry settings. This method of modifying context menus, however, has several shortcomings. One such shortcoming is that, with this method, the application has no control over the order and position of the additional items relative to standard or other menu items in the context menu. Another shortcoming of current context menu modification techniques is that they offer the same menu items regardless of the user using the browser, and regardless of the country, etc., in which the user is located during use of the browser. Still another shortcoming is that updating or changing context menu items requires the user to install a new application at the user computer. As such, a need exists for an improved system and method of controlling a context menu.

Applicant's disclosure remedies the shortcomings described in paragraph [0007] of Applicant's Specification, among others. Claim 1 recites a method comprising modifying an existing context menu in existing software via a client-side software module, comprising additional menu information; detecting an event that calls for display of the existing context menu by the existing software; modifying the existing context menu based on the additional menu information; and subsequently displaying the

modified context menu, such that the existing context menu is not displayed in response to said event, and the modified context menu is different from the existing context menu, the modified context menu comprising an additional menu item as part of the context menu, the additional menu item being positioned within the modified context menu in accordance with the additional menu information and not in accordance with the existing software.

Nakajima discloses an operating system that provides extensions through which application developers may extend the capabilities of a shell of the operating system. For example, application developers may add menu items to context menus for objects that are visible within an integrated system name space.

Nakajima does not disclose modifying an existing context menu in existing software via a client-side software module. The Office Action states that Nakajima discloses this feature at col. 5, lines 25-35, Figs. 4-5, and col. 6, lines 1-11. Col. 5, lines 25-35 of Nakajima discloses shell extension DLLs being called when needed to extend the functionality of a shell as required by an application. Figs. 4-5 show flowcharts describing the processes to add verbs to a context menu. Col. 6, lines 1-11 describe shell extensions extending the functionality provided by an operating system to aid developers. None of these passages and figures of Nakajima, however, disclose modifying an existing context menu in existing software via a client-side software module. Nakajima discloses allowing developers to customize context menus for objects by specifying customized verbs. (See, e.g., col. 6, lines 37-39). Nakajima does not disclose a client-side software module that is used to modify an existing context menu in existing software.

Even if the Examiner believes that Nakajima discloses a client-side software module is used to modify an existing context menu in existing software (which is in no way conceded), Nakajima does not disclose detecting an event that calls for display of the existing context menu by the existing software and then subsequently displaying, after detecting the event and in response to the event, by the computer, the modified context menu, such that the existing context menu is not displayed in response to the event, as claimed in amended independent claim 1. The Office Action states that Nakajima discloses these features at col. 7, lines 5-10, col. 8, lines 10-20, and col. 7, lines 1-15 and 47-57. These passages of Nakajima disclose, in part, the process of adding verbs to a

context menu. These passages of Nakajima do not, however, disclose detecting an event that calls for display of an existing context menu and then (after detecting the event and in response to the event) displaying a modified context menu, such that the existing context menu is not displayed in response to the event (which called for display of the existing context menu).

Furthermore, Nakajima discloses, in col. 2, lines 32-44, in part (emphasis added):

[A] data processing system includes a memory means, a video display and a processing means. The memory means holds an object and an operating system that includes a shell. The memory means also holds a registry for holding registration information. The registry holds at least one shell extension handler for extending capabilities of the shell of the operating system.

Nakajima also discloses, in col. 6, line 37 - col. 7, line 5, in part (emphasis added):

The preferred embodiment allows a developer to customize context menus for objects by specifying customized static verbs and dynamic verbs. ... Static verbs are those verbs that are registered under the "shell" key ... within the registry 28.

...

FIG. 3 is a flowchart of the steps that are performed to add static verbs to context menus of an object in the preferred embodiment of the present invention. First, any predefined verbs (i.e., those that the shell supports) and additional verbs provided by a developer are registered within the registry 28 (steps 36 and 38 in FIG. 3). The operating system 26 provides functions that may be called to add entries within the registry 28. In the preferred embodiment described herein, these functions are utilized by developers to create entries in the registry 28 like those shown in lines 4-11 of the above example. These verbs are registered in the shell section of the registry and are added to context menus of the specified object type (e.g., word processing documents). The registration of the verb specifies their menu item strings. Once the verbs are registered and the context menu has been activated, menu item strings associated with the verbs are displayed in the context menu (step 40).

As can be seen from these exemplary paragraphs in Nakajima, Nakajima relates to what is described in Applicant's Background - modifying context menus by modifying registry settings. As a result, the shortcomings described in Applicant's Background are present - the application has no control over the order and position of the additional items relative to standard or other menu items in the context menu, the same menu items are offered in

a context menu regardless of the user using the browser, and regardless of the country, etc. in which the user is located during use of the browser, and updating or changing context menu items requires the user to install a new application at the user computer.

Thus, Nakajima does not disclose displaying the modified context menu, such that the existing context menu is not displayed in response to said event, and the modified context menu is different from the existing context menu, the modified context menu comprising an additional menu item as part of the context menu, the additional menu item being positioned within the modified context menu in accordance with the additional menu information and not in accordance with the existing software, as claimed in amended independent claim 1. Nakajima is silent as to positioning an additional menu item within the modified context menu in accordance with additional menu information and not in accordance with existing software. The Office Action states that Nakajima discloses this feature at col. 7, lines 15-57 and figures 4-5. Applicant respectfully disagrees. Col. 7, lines 15-57 of Nakajima describes a context menu handler and adding verbs to a context menu. Figures 4-5 show flowcharts describing the processes to add verbs to a context menu. These passages and figures of Nakajima do not, however, describe an additional menu item being positioned within the modified context menu in accordance with additional menu information and not in accordance with existing software, as claimed in independent claim 1.

Slivka does not cure the deficiencies of Nakajima. Slivka discloses an operating system shell which provides a graphical user interface having a windowing environment with a desktop. The shell synthesizes a hypertext page for display as the desktop in the graphical user interface. The hypertext page has an embedded software object which provides graphical icon-oriented and menu-driven user interface elements for activating operating system services in the displayed hypertext page. The shell also provides windowed hypertext pages for managing file system folders. Slivka does not, however, disclose the features of claim 1 as described above.

Further, Weber does not cure the deficiencies of Nakajima either. Weber discloses a method and system for improving individual online usage through a multi-function Internet toolbar, and a system for an institutional online administration control allowing management of the toolbar interface for a group or a community of users

utilizing the toolbar. Weber does not, however, disclose the features of claim 1 as described above.

For at least the foregoing reasons, Claim 1 and the claims that depend from claim 1 are believed to be in condition for allowance. In addition, for at least the same reasons stated above with respect to claim 1, independent Claims 32-34, 45, 56, 57, 61 and 62 are believed to be in condition for allowance, and accordingly, the claims that depend from Claims 32-34, 45, 56, 57, 61 and 62 are also believed to be in condition for allowance.

Further, dependent claim 13 discloses wherein the client-side software module is provided to a user computer, the user computer displaying a Web page, the Web page comprising a plurality of elements, the method further comprising determining which element of the plurality of elements the user is interacting with when the event occurs. The Office Action states that Nakajima discloses this feature at col. 9, lines 15-45 and col. 5, lines 45-67. Applicant respectfully disagrees. These passages of Nakajima disclose function calls and the organization of Nakajima's registry. These passages of Nakajima do not disclose a web page comprising a plurality of elements, and determining which element a user is interacting with when the event occurs.

The Office Action also states that, in the alternative, Slivka discloses this feature (e.g., at col. 16, lines 55-67 and col. 17, lines 1-50). Applicant respectfully disagrees. These passages of Slivka describe desktop interface controls but do not disclose the features claimed in dependent claim 13. Specifically, Slivka does not disclose a web page comprising a plurality of elements, and determining which element a user is interacting with when the event occurs. As a result, dependent claim 13 is allowable over the cited art, either alone or in combination.

Further, dependent claim 15 recites wherein determining which element the user is interacting with comprises:

identifying an element from the plurality of elements that comprise an HTML structure;

determining a type of the element;
saving information related to the element;
determining when the user has selected text; and
saving the selected text.

The Office Action states that Nakajima discloses this feature at col. 6, lines 45-67 and col. 14, lines 1-67 and, in the alternative, Slivka discloses this feature at col. 17, lines 1-50 and col. 15, lines 49-60. Neither Nakajima nor Slivka, however, disclose the features claimed in dependent claim 15. Specifically, neither Nakajima nor Slivka disclose wherein determining which element the user is interacting with comprises identifying an element from the plurality of elements that comprise an HTML structure; determining a type of the element; saving information related to the element; determining when the user has selected text; and saving the selected text. As a result, dependent claim 15 is allowable over the cited art, either alone or in combination.


Having responded to all objections and rejections set forth in the outstanding Office Action, it is submitted that the currently pending claims are in condition for allowance and Notice to that effect is respectfully solicited. Additional characteristics or arguments may exist that distinguish the claims over the prior art cited by the Examiner, and Applicants respectfully preserve their right to present these in the future, should they be necessary. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicants' undersigned representative.

The Applicants' attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 76058.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-1561. Please ensure that the Attorney Docket Number is referenced when charging any payments or credits for this case.

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Respectfully submitted,



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